

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 7,545,781 B2; Issued June 9, 2009
Application No.: 10/549,242
Filing Date: September 12, 2005
Applicant: Shinya Otsuki, et al.
Group Art Unit: 2617
Examiner: Kamran Afshar
Title: Wireless Packet Communication Method and Wireless
Packet Communication Apparatus
Attorney Docket: 6268-000007/US/NP


Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

REQUEST FOR RECONSIDERATION OF PETITION UNDER RULE 1.705

Patentee hereby requests reconsideration of the Petition for corrected Patent Term Adjustment under Rule 1.705 which was dismissed by the Office in a Decision dated December 16, 2009. In view of the fact that *Wyeth v Dudas* is currently on appeal to the Court of Appeals for the Federal Circuit, Patentee respectfully requests the Office to defer decision on this Request for Reconsideration until such time as the Court of Appeals for the Federal Circuit has ruled in *Wyeth v Dudas*. This request is made in the interest of judicial economy and because *Wyeth v Dudas* is expected to construe the statutory meaning of "overlap" as used in 35 U.S.C. § 154(b).

Respectfully submitted,

Dated: January 7, 2010

By: 
Gregory A. Stobbs
Reg. No. 28,764

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

GAS/dec

10284511.1